IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

UNILOC USA, INC., and UNILOC LUXEMBOURG, S.A., Plaintiffs, v. WORKDAY, INC., Defendant.	§ § § § § § § § § § § §	Civil Action No. 2:17-cv-00259 PATENT CASE JURY TRIAL DEMANDED

ORIGINAL COMPLAINT FOR PATENT INFRINGEMENT

Plaintiffs, Uniloc USA, Inc. ("Uniloc USA") and Uniloc Luxembourg, S.A. ("Uniloc Luxembourg") (collectively, "Uniloc"), as and for their complaint against defendant, Workday, Inc. ("Workday"), allege as follows:

THE PARTIES

1. Uniloc USA is a Texas corporation having a principal place of business at Legacy Town Center I, Suite 380, 7160 Dallas Parkway, Plano Texas 75024. Uniloc USA also maintains a place of business at 102 N. College, Suite 603, Tyler, Texas 75702.

2. Uniloc Luxembourg is a Luxembourg public limited liability company having a principal place of business at 15, Rue Edward Steichen, 4th Floor, L-2540, Luxembourg (R.C.S. Luxembourg B159161).

3. Uniloc Luxembourg owns a number of patents in the field of application management in computer networks.

4. Upon information and belief, Workday is a Delaware corporation having a principal place of business in Pleasanton, California and a regular and established place of business at 3001 Dallas Parkway Suite 600, Frisco, Texas 75034. Upon information and belief, Workday offers its products and services, including those accused herein of infringement, to customers and/or potential customers located in Texas and in the judicial Eastern District of Texas. Workday may be served with process through its registered agent in Texas: CT Corporation System, 1999 Bryan Street, Suite 900, Dallas, Texas 75201.

JURISDICTION AND VENUE

5. Uniloc brings this action for patent infringement under the patent laws of the United States, 35 U.S.C. § 271 *et seq.* This Court has subject matter jurisdiction pursuant to 28 U.S.C. §§ 1331, 1338(a), and 1367.

6. Venue is proper in this judicial district pursuant to 28 U.S.C. §§ 1391(c) and 1400(b). Upon information and belief, Workday is deemed to reside in this judicial district, has committed acts of infringement in this judicial district, and/or has purposely transacted business involving the accused products in Texas and this judicial district.

7. Workday is subject to this Court's jurisdiction pursuant to due process and/or the Texas Long Arm Statute due at least to its substantial presence and business in this State and judicial district, including: (A) at least part of its past infringing activities, (B) regularly doing and/or soliciting business in Frisco, Texas, and/or (C) engaging in persistent conduct and/or deriving substantial revenue from goods and services provided to customers in Texas.

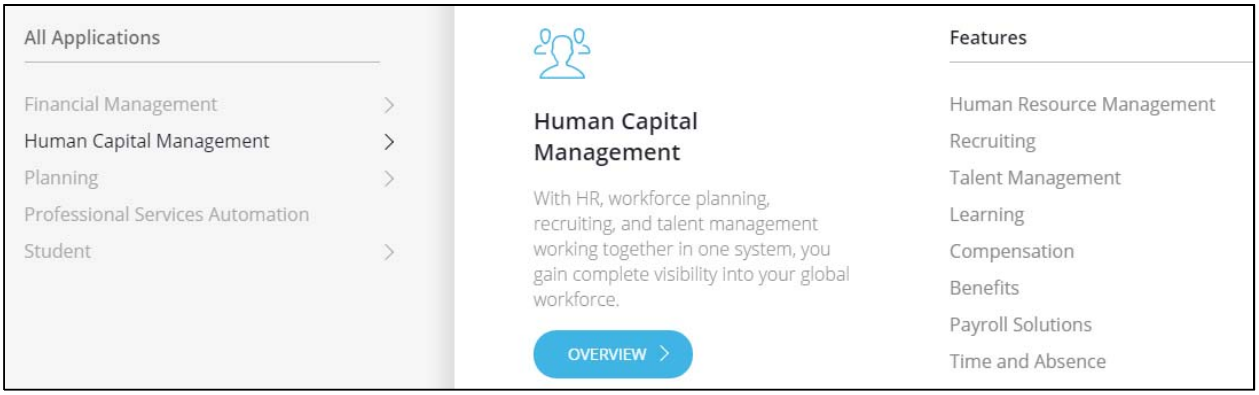
COUNT I
(INFRINGEMENT OF U.S. PATENT NO. 6,324,578)

8. Uniloc incorporates paragraphs 1-7 above by reference.

9. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 6,324,578 ("the '578 Patent"), entitled METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR MANAGEMENT OF CONFIGURABLE APPLICATION PROGRAMS ON A NETWORK that issued on November 27, 2001. A true and correct copy of the '578 Patent is attached as Exhibit A hereto.

10. Uniloc USA is the exclusive licensee of the '578 Patent with ownership of all substantial rights therein, including the right to grant sublicenses, to exclude others, and to enforce, sue, and recover past damages for the infringement thereof.

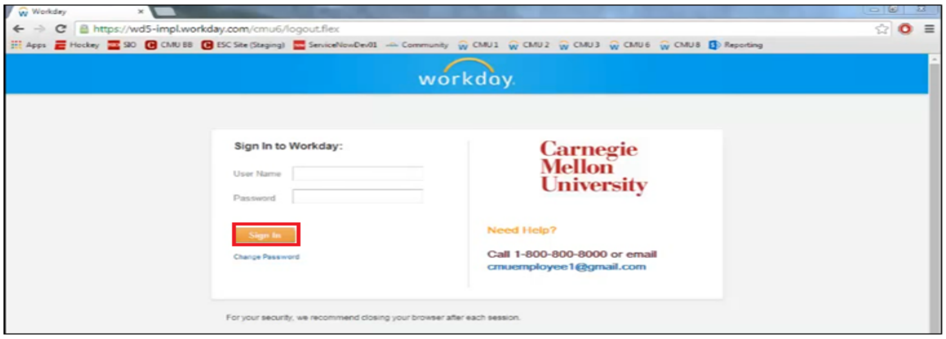
11. The following image shows a Workday user interface offering a plurality of Workday applications:


All Applications
Financial Management
Human Capital Management
Planning
Professional Services Automation
Student
Human Capital Management
With HR, workforce planning, recruiting, and talent management working together in one system, you gain complete visibility into your global workforce.
OVERVIEW
Features
Human Resource Management
Recruiting
Talent Management
Learning
Compensation
Benefits
Payroll Solutions
Time and Absence

12. The following image shows various download options on a user interface that opens when a user logs into the Workday portal:

workday
Home
Expenses
Pay
Benefits
Time Off
Personal Information
Favorites
Directory
Team Performance
Talent
Compensation
Birthdays
Anniversaries

13. The following image illustrates an application launcher program that Workday distributed to users at Carnegie Mellon University:


https://wd5-impl.workday.com/cmu6/logout.flex
workday.
Sign In to Workday:
User Name
Password
Change Password
Carnegie Mellon University
Need Help?
Call 1-800-800-8000 or email cmuemployee1@gmail.com
For your security, we recommend closing your browser after each session.

14. The following image shows that Workday uses a registration process:

During the registration process, You agree that any information provided shall be current, complete and accurate as prompted by the applicable registration form. You agree that any registration information You give to Workday will always be accurate, correct and up to date. You agree and understand that You are responsible for maintaining the confidentiality of passwords associated with any account You use to access any portion of the Website. Accordingly, You agree that You will be solely responsible to Workday for all activities that occur under Your account. You agree to notify Workday immediately of any unauthorized use of Your account or any other breach of security. You may be allowed to choose an alias and a representative image during the registration process. You may not use an alias or image that is in use by someone else, impersonates another person, violates the intellectual property rights of any third party, is deemed vulgar or otherwise offensive or inappropriate by Workday in its sole discretion. The information You provide to Workday during the registration process will be governed by the terms of Workday's current privacy policy. Workday Privacy Policy

15. The following image shows an example of a user login screen for the Workday application:

workday.
user name
password
Sign In

16. The following image shows that a user can provide configurable information to Workday in order to access the Workday computer system:

Accessing Workday

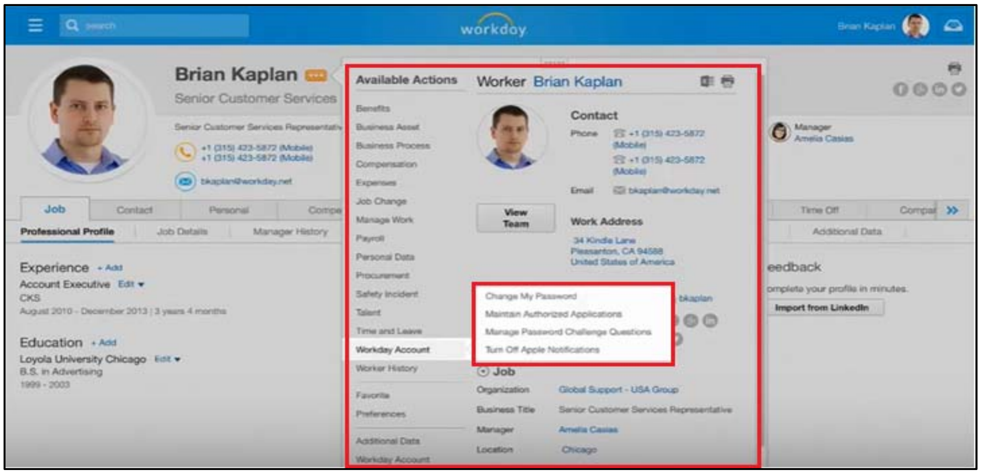
User ID:
Your User Name is your Employee ID, which your Manager entered on the Workday New Hire Onboarding Quick Start Form on your first day of work. Your Employee ID (Emp ID) can also be found on your paycheck or on your associate discount card. On your discount card is the seven digits which appear after the 99(xxxxxxx) in the upper left on the card.

Password:

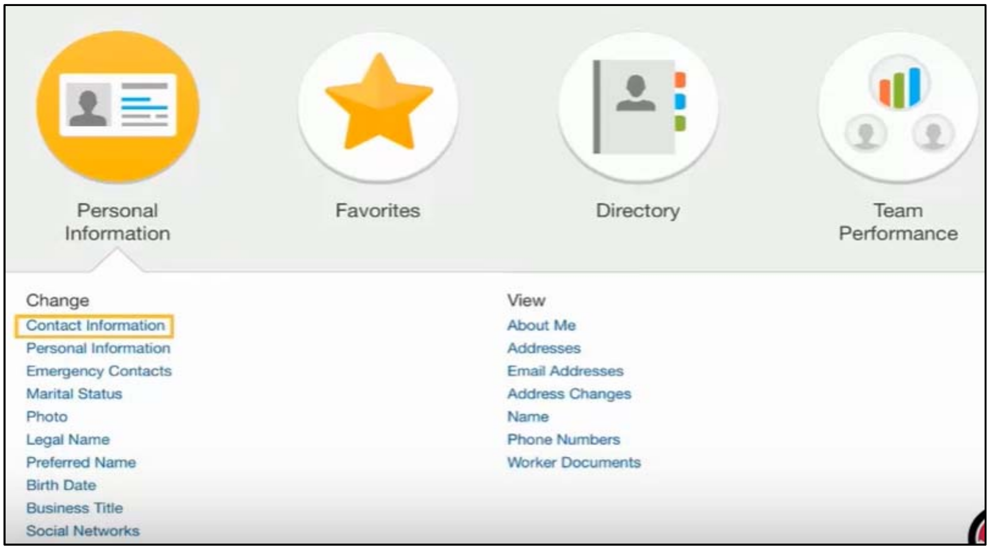
- The initial password for all newly hired associates follows the below cadence:
  - Last 4 digits of Employee ID (e.g. 9260)
  - 'aaa'
  - '00'
  - Example: 9260aaa00
- The initial password for all rehired associates follows the below cadence:
  - Last 4 digits of Employee ID (e.g. 9260)
  - The first three lower case letters of your birthday month (e. g. dec for December)
  - 2-digit birth day of month (e.g. 25)
  - Example: 9260dec25
- Click "Sign In"
- System will prompt you to change your password

- New passwords must be at least 6 characters in length and must have at least 1 number and 1 lower case alpha character
- Users are locked out of their account after six failed log-in attempts
- Passwords can be reset by:
  - Calling the J. Jill Help Desk at (855) 771-5455; password will be reset to follow above rehire cadence
  - If you have been locked out, you will need to wait for 15 minutes after the Help Desk resets the password, before attempting to log into Workday again

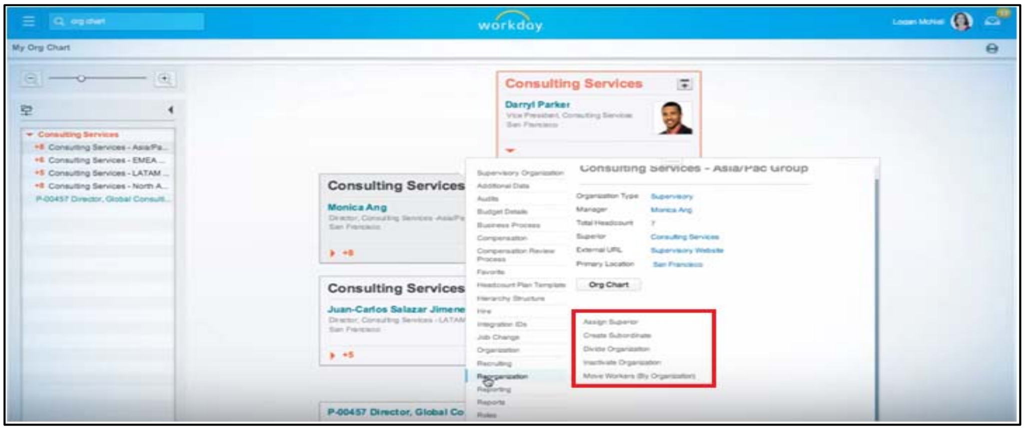
17. The following image shows that a user is provided with a set of configurable preferences after having logged in to Workday:


workday
Brian Kaplan
Senior Customer Services
Available Actions
Worker Brian Kaplan
Contact
View Team
Work Address
Change My Password
Maintain Authorized Applications
Manage Password Challenge Questions
Turn Off Apple Notifications
Job
Experience
Education
Loyola University Chicago
Import from LinkedIn

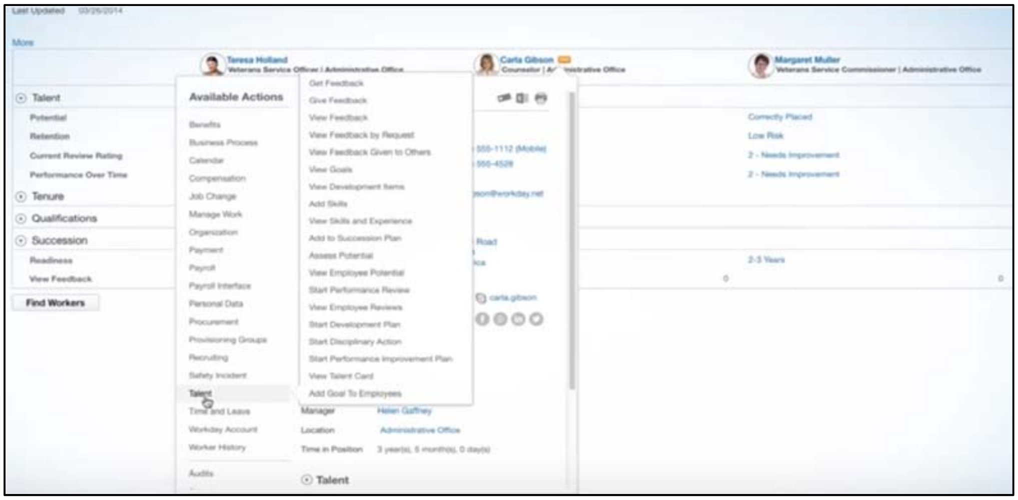
18. The following image shows that users of Workday can update, for example, their personal information:


Personal Information
Favorites
Directory
Team Performance
Change
Contact Information
Personal Information
Emergency Contacts
Marital Status
Photo
Legal Name
Preferred Name
Birth Date
Business Title
Social Networks
View
About Me
Addresses
Email Addresses
Address Changes
Name
Phone Numbers
Worker Documents

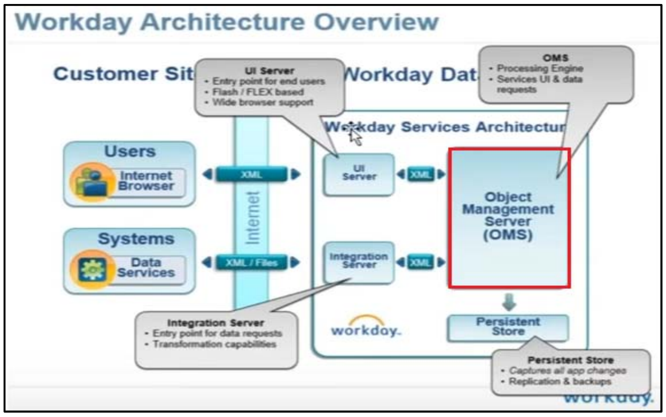
19. The following image shows that an administrator using the Workday application can set a plurality of configurable preferences, such as creating a subdivision or dividing an organization:


workday
My Org Chart
Consulting Services
Darryl Parker
Consulting Services
Monica Ang
Consulting Services
Juan-Carlos Salazar Jimene
Consulting Services - Asia/Pac Group
Org Chart

20. The following image shows that administrators using the Workday application can take numerous available administrative actions:


Available Actions
Talent
Tenure
Qualifications
Succession
Find Workers

21. The following image shows an Overview of the Workday Architecture:


Workday Architecture Overview
Customer Sit
Workday Dat
UI Server
• Entry point for end users
• Flash / FLEX based
• Wide browser support
OMS
• Processing Engine
• Services UI & data requests
Workday Services Architectur
Users
Internet Browser
Systems
Data Services
XML
XML / Files
Internet
UI Server
Integration Server
Object Management Server (OMS)
Persistent Store
workday.
Integration Server
• Entry point for data requests
• Transformation capabilities
Persistent Store
• Captures all app changes
• Replication & backups

22. Workday has directly infringed, and continues to directly infringe, one or more claims of the ’578 Patent in this judicial district and elsewhere in the United States, including at least claims 1, 9-10, 13, 15, 17, 32, 38, 41-42, 44 and 46 of the ’578 Patent, literally and/or under the doctrine of equivalents, by or through making, using, offering for sale, and/or selling its software distribution and management system during the pendency of the ’578 Patent, which software and associated architecture, *inter alia*, allows for installing an application program having a plurality of configurable preferences and authorized users on a server coupled to a network, distributing an application launcher program to a client, obtaining a user set of the configurable preferences, obtaining an administrator set of configurable preferences and

executing the application program using the user and administrator sets of configurable preferences responsive to a request from a user.

23. In addition, should the Workday software distribution and management system be found to not literally infringe the asserted claims of the '578 Patent, the product would nevertheless infringe the asserted claims of the '578 Patent. More specifically, the platform performs substantially the same function (obtaining user and administrator sets of configurable preferences), in substantially the same way (via a user and administrator), to yield substantially the same result (executing an application program using the configurable preferences in response to a request from a user on a network). Workday would thus be liable for direct infringement under the doctrine of equivalents.

24. Workday has indirectly infringed, and continues to indirectly infringe, at least claims 1, 9-10, 13, 15, 17, 32, 38, 41-42, 44 and 46 of the '578 Patent, in this judicial district and elsewhere in the United States by, among other things, actively inducing the using, offering for sale, and/or selling of the Workday software distribution and management system. Workday's customers who use the platform in accordance with Workday's instructions directly infringe one or more of the foregoing claims of the '578 Patent in violation of 35 U.S.C. § 271. As set forth, *inter alia,* above, Workday directly and/or indirectly intentionally instructs its customers to infringe through training videos, demonstrations, brochures, and installation and/or user guides for the accused platform, such as those located at the following:

- www.workday.com
- www.workday.com/en-us/legal/site-terms.html
- https://itunes.apple.com/us/app/workday
- https://play.google.com/store/apps/details?id=com.workday

- www.youtube.com/watch?v=qr9YvHsiMcU
- www.youtube.com/watch?v=3MmNOSbVMSg
- www.youtube.com/watch?v=c4gVqCGZjFo
- www.youtube.com/watch?v=ZzwXayY7JM

Workday is thereby liable for infringement of the '578 Patent under 35 U.S.C. § 271(b).

25. Workday has indirectly infringed, and continues to indirectly infringe, at least claims 1, 9-10, 13, 15, 17, 32, 38, 41-42, 44 and 46 of the '578 Patent, in this judicial district and elsewhere in the United States by, among other things, contributing to the direct infringement by others including, without limitation, customers using the Workday software distribution and management system, by making, offering to sell, and/or selling, a component of a patented machine, manufacture or combination, or an apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in infringing the '578 Patent and not a staple article or commodity of commerce suitable for substantial non-infringing use.

26. For example, the platform software comprises a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the software is a material part of the claimed inventions and, upon information and belief, is not a staple article or commodity of commerce suitable for substantial non-infringing use. Workday is, therefore, liable for infringement under 35 U.S.C. § 271(c).

27. Workday will have been on notice of the '578 Patent since, at the latest, the service of this complaint. By the time of trial, Workday will have known and intended (since receiving such notice) that its continued actions would actively induce, and contribute to, the

infringement of one or more of claims 1, 9-10, 13, 15, 17, 32, 38, 41, 42, 44 and 46 of the ’578 Patent.

28. Workday may have infringed the ’578 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the Workday software distribution and management system. Uniloc reserves the right to discover and pursue all such additional infringing software.

29. Uniloc has been damaged, reparably and irreparably, by Workday’s infringement of the ’578 Patent and such damage will continue unless and until Workday is enjoined.

COUNT II
(INFRINGEMENT OF U.S. PATENT NO. 7,069,293)

30. Uniloc incorporates paragraphs 1-7 above by reference.

31. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 7,069,293 (“the ’293 Patent”), entitled METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR DISTRIBUTION OF APPLICATION PROGRAMS TO A TARGET STATION ON A NETWORK that issued on June 27, 2006. A true and correct copy of the ’293 Patent is attached as Exhibit B hereto.

32. Uniloc USA is the exclusive licensee of the ’293 Patent with ownership of all substantial rights therein, including the right to grant sublicenses, to exclude others, and to enforce, sue, and recover past damages for the infringement thereof.

33. Workday has directly infringed, and continues to directly infringe, one or more claims of the ’293 Patent in this judicial district and elsewhere in the United States, including at least claims 1, 12 and 17, literally and/or under the doctrine of equivalents, by or through making, using, offering for sale, and/or selling its software distribution and management system during the pendency of the ’293 Patent, which software and associated architecture, *inter alia,*

allow for providing an application program for distribution to a network server, specifying source and target directories for the program to be distributed, preparing a file packet associated with the program including a segment configured to initiate registration operations for the application program at a target on-demand server, and distributing the file packet to the target on-demand server to make the program available for use by a client user.

34. In addition, should the Workday software distribution and management system be found to not literally infringe the asserted claims of the ’293 Patent, the product would nevertheless infringe the asserted claims of the ’293 Patent. More specifically, the accused platform performs substantially the same function (distributing an application program to a target on-demand server on a network), in substantially the same way (via initiation of registration operations for the application program at the target on-demand server), to yield substantially the same result (making the application program available for use by a user at a client). Workday would thus be liable for direct infringement under the doctrine of equivalents.

35. Workday has indirectly infringed, and continues to indirectly infringe, at least claims 1, 12 and 17 of the ’293 Patent, in this judicial district and elsewhere in the United States by, among other things, actively inducing the using, offering for sale, and/or selling the Workday software distribution and management system. Workday’s customers who use the platform in accordance with Workday’s instructions directly infringe one or more of the foregoing claims of the ’293 Patent in violation of 35 U.S.C. § 271. As set forth, *inter alia,* above, Workday directly and/or indirectly intentionally instructs its customers to infringe through training videos, demonstrations, brochures, and installation and/or user guides for the accused platform, such as those located at the following:

- www.workday.com

- www.workday.com/en-us/legal/site-terms.html
- https://itunes.apple.com/us/app/workday
- https://play.google.com/store/apps/details?id=com.workday
- www.youtube.com/watch?v=qr9YvHsiMcU
- www.youtube.com/watch?v=3MmNOSbVMSg
- www.youtube.com/watch?v=c4gVqCGZjFo
- www.youtube.com/watch?v=ZzwXayY7JM

Workday is thereby liable for infringement of the ’293 Patent under 35 U.S.C. § 271(b).

36. Workday has indirectly infringed, and continues to indirectly infringe, at least claims 1, 12 and 17 of the ’293 Patent in this judicial district and elsewhere in the United States by, among other things, contributing to the direct infringement by others including, without limitation, customers using the Workday software distribution and management system, by making, offering to sell, and/or selling, a component of a patented machine, manufacture or combination, or an apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in infringing the ’293 Patent and not a staple article or commodity of commerce suitable for substantial non-infringing use.

37. For example, the platform software comprises a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the software distribution and management system is a material part of the claimed inventions and, upon information and belief, is not a staple article or commodity of commerce suitable for substantial non-infringing use. Workday is, therefore, liable for infringement under 35 U.S.C. § 271(c).

38. Workday will have been on notice of the ’293 Patent since, at the latest, the service of this complaint. By the time of trial, Workday will have known and intended (since receiving such notice) that its continued actions would actively induce, and contribute to, the infringement of one or more of claims 1, 12 and 17 of the ’293 Patent.

39. Workday may have infringed the ’293 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the Workday software distribution and management system. Uniloc reserves the right to discover and pursue all such additional infringing software.

40. Uniloc has been damaged, reparably and irreparably, by Workday’s infringement of the ’293 Patent and such damage will continue unless and until Workday is enjoined.

COUNT III
(INFRINGEMENT OF U.S. PATENT NO. 6,510,466)

41. Uniloc incorporates paragraphs 1-7 above by reference.

42. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 6,510,466 (“the ’466 Patent”), entitled METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR CENTRALIZED MANAGEMENT OF APPLICATION PROGRAMS ON A NETWORK that issued on January 21, 2003. A true and correct copy of the ’466 Patent is attached as Exhibit C hereto.

43. Uniloc USA is the exclusive licensee of the ’466 Patent with ownership of all substantial rights therein, including the right to grant sublicenses, to exclude others, and to enforce, sue, and recover past damages for the infringement thereof.

44. Workday has directly infringed, and continues to directly infringe one or more claims of the ’466 Patent, in this judicial district and elsewhere in the United States, including at least claims 16-20, 30-33 and 35-36, literally and/or under the doctrine of equivalents, by or

through making, using, offering for sale, and/or selling its software distribution and management system during the pendency of the ’466 Patent, which software and associated architecture, *inter alia,* allows for installing application programs on a server, receiving a login request, establishing a user desktop interface, receiving a selection of one of the programs displayed in the user desktop interface and providing an instance of the selected program for execution.

45. In addition, should the Workday software distribution and management system be found to not literally infringe the asserted claims of the ’466 Patent, the product would nevertheless infringe the asserted claims of the ’466 Patent. More specifically, the accused platform performs substantially the same function (selection of an application program), in substantially the same way (via an established user desktop interface), to yield substantially the same result (providing the program for execution). Workday would thus be liable for direct infringement under the doctrine of equivalents.

46. Workday has indirectly infringed, and continues to indirectly infringe, at least claims 16-20, 30-33 and 35-36 of the ’466 Patent, in this judicial district and elsewhere in the United States by, among other things, actively inducing the using, offering for sale, and/or selling the Workday software distribution and management system. Workday’s customers who use the accused platform in accordance with Workday’s instructions directly infringe one or more of the foregoing claims of the ’466 Patent in violation of 35 U.S.C. § 271. As set forth, *inter alia,* above, Workday directly and/or indirectly intentionally instructs its customers to infringe through training videos, demonstrations, brochures, and installation and/or user guides for the accused platform, such as those located at the following:

- www.workday.com
- www.workday.com/en-us/legal/site-terms.html

- https://itunes.apple.com/us/app/workday
- https://play.google.com/store/apps/details?id=com.workday
- www.youtube.com/watch?v=qr9YvHsiMcU
- www.youtube.com/watch?v=3MmNOSbVMSg
- www.youtube.com/watch?v=c4gVqCGZjFo
- www.youtube.com/watch?v=ZzwXayY7JM

Workday is thereby liable for infringement of the ’466 Patent under 35 U.S.C. § 271(b).

47. Workday has indirectly infringed, and continues to indirectly infringe, at least claims 16-20, 30-33 and 35-36 of the ’466 Patent, in this judicial district and elsewhere in the United States by, among other things, contributing to the direct infringement by others including, without limitation, customers using the Workday software distribution and management system, by making, offering to sell, and/or selling, a component of a patented machine, manufacture or combination, or an apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in infringing the ’466 Patent and not a staple article or commodity of commerce suitable for substantial non-infringing use.

48. For example, the platform software comprises a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the software is a material part of the claimed inventions and, upon information and belief, is not a staple article or commodity of commerce suitable for substantial non-infringing use. Workday is, therefore, liable for infringement under 35 U.S.C. § 271(c).

49. Workday will have been on notice of the ’466 Patent since, at the latest, the service of this complaint. By the time of trial, Workday will have known and intended (since

receiving such notice) that its continued actions would actively induce, and contribute to, the infringement of one or more of claims 16-20, 30-33 and 35-36 of the ’466 Patent.

50. Workday may have infringed the ’466 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the Workday software distribution and management system. Uniloc reserves the right to discover and pursue all such additional infringing software.

51. Uniloc has been damaged, reparably and irreparably, by Workday’s infringement of the ’466 Patent and such damage will continue unless and until Workday is enjoined.

COUNT IV
(INFRINGEMENT OF U.S. PATENT NO. 6,728,766)

52. Uniloc incorporates paragraphs 1-7 above by reference.

53. Uniloc Luxembourg is the owner, by assignment, of U.S. Patent No. 6,728,766 (“the ’766 Patent”), entitled METHODS, SYSTEMS AND COMPUTER PROGRAM PRODUCTS FOR LICENSE USE MANAGEMENT ON A NETWORK that issued on April 27, 2004. A true and correct copy of the ’766 Patent is attached as Exhibit D hereto.

54. Uniloc USA is the exclusive licensee of the ’766 Patent with ownership of all substantial rights therein, including the right to grant sublicenses, to exclude others, and to enforce, sue, and recover past damages for the infringement thereof.

55. Workday has directly infringed, and continues to directly infringe, one or more claims of the ’766 Patent, in this judicial district and elsewhere in the United States, including at least claims 7, 8, 11, 13-14, and 17, literally and/or under the doctrine of equivalents, by or through making, using, offering for sale, and/or selling its software distribution and management system during the pendency of the ’766 Patent, which software and associated architecture, *inter alia*, allow for maintaining user policy based license management information for application

programs at a server, receiving a request for a license at the server, determining license availability based on the policy information, and providing an indication of availability or unavailability.

56. In addition, should the Workday software distribution and management system be found to not literally infringe the asserted claims of the ’766 Patent, the product would nevertheless infringe the asserted claims of the ’766 Patent. More specifically, the accused platform performs substantially the same function (managing licenses for authorized computer games/software based on user policy information), in substantially the same way (via a client/server environment), to yield substantially the same result (providing authorized games/software to a client). Workday would thus be liable for direct infringement under the doctrine of equivalents.

57. Workday has indirectly infringed, and continues to indirectly infringe, at least claims 7, 8, 11, 13-14, and 17 of the ’766 Patent, in this judicial district and elsewhere in the United States by, among other things, actively inducing the using, offering for sale, and/or selling the Workday software distribution and management system. Workday’s customers who use the platform in accordance with Workday’s instructions directly infringe one or more of the foregoing claims of the ’766 Patent in violation of 35 U.S.C. § 271. As set forth, *inter alia,* above, Workday directly and/or indirectly intentionally instructs its customers to infringe through training videos, demonstrations, brochures, and installation and/or user guides for the accused platform, such as those located at the following:

- www.workday.com
- www.workday.com/en-us/legal/site-terms.html
- https://itunes.apple.com/us/app/workday

- https://play.google.com/store/apps/details?id=com.workday
- www.youtube.com/watch?v=qr9YvHsiMcU
- www.youtube.com/watch?v=3MmNOSbVMSg
- www.youtube.com/watch?v=c4gVqCGZjFo
- www.youtube.com/watch?v=ZzwXayY7JM

Workday is thereby liable for infringement of the ’766 Patent under 35 U.S.C. § 271(b).

58. Workday has indirectly infringed and continues to indirectly infringe, at least claims 7, 8, 11, 13-14 and 17, of the ’766 Patent, in this judicial district and elsewhere in the United States by, among other things, contributing to the direct infringement by others including, without limitation, customers using the Workday software distribution and management system, by making, offering to sell, and/or selling, a component of a patented machine, manufacture or combination, or an apparatus for use in practicing a patented process, constituting a material part of the invention, knowing the same to be especially made or especially adapted for use in infringing the ’766 Patent and not a staple article or commodity of commerce suitable for substantial non-infringing use.

59. For example, the platform software comprises a component of a patented machine, manufacture, or combination, or an apparatus for use in practicing a patent process. Furthermore, the software is a material part of the claimed inventions and upon information and belief is not a staple article or commodity of commerce suitable for substantial non-infringing use. Workday is, therefore, liable for infringement under 35 U.S.C. § 271(c).

60. Workday will have been on notice of the ’766 Patent since, at the latest, the service of this complaint upon Workday. By the time of trial, Workday will have known and intended (since receiving such notice) that its continued actions would actively induce, and

contribute to, the infringement of one or more of claims 7, 8, 11, 13-14, and 17 of the ’766 Patent.

61. Workday may have infringed the ’766 Patent through other software utilizing the same or reasonably similar functionality, including other versions of the Workday software distribution and management system. Uniloc reserves the right to discover and pursue all such additional infringing software.

62. Uniloc has been damaged, reparably and irreparably, by Workday’s infringement of the ’766 Patent and such damage will continue unless and until Workday is enjoined.

PRAYER FOR RELIEF

Uniloc requests that the Court enter judgment against Workday as follows:

(A) declaring that Workday has infringed the ’578 Patent, the ’293 Patent, the ’466 Patent, and the ’766 Patent;

(B) awarding Uniloc its damages suffered as a result of Workday’s infringement of the ’578 Patent, the ’293 Patent, the ’466 Patent, and the ’766 Patent;

(C) enjoining Workday, its officers, directors, agents, servants, affiliates, employees, divisions, branches, subsidiaries and parents, and all others acting in concert or privity with it from infringing the ’578 Patent, the ’293 Patent, the ’466 Patent, and the ’766 Patent;

(D) awarding Uniloc its costs, attorneys’ fees, expenses and interest; and

(E) granting Uniloc such other and further relief as the Court may deem just and proper.

DEMAND FOR JURY TRIAL

Uniloc hereby demands trial by jury on all issues so triable pursuant to FED. R. CIV. P. 38.

Date: April 4, 2017.

Respectfully submitted,

/s/ Edward R. Nelson III
Paul J. Hayes (Lead Attorney)
Massachusetts State Bar No. 227000
James J. Foster
Massachusetts State Bar No. 553285
Kevin Gannon
Massachusetts State Bar No. 640931
Dean Bostock
Massachusetts State Bar No. 549747
Robert R. Gilman
Massachusetts State Bar No. 645224
Michael Ercolini
New York State Bar No. 5029905
Aaron Jacobs
Massachusetts State Bar No. 677545
Daniel McGonagle
Massachusetts State Bar No. 690084
PRINCE LOBEL TYE LLP
One International Place, Suite 3700
Boston, MA 02110
Tel: (617) 456-8000
Fax: (617) 456-8100
Email: pjhayes@princelobel.com
Email: jjfoster@princelobel.com
Email: kgannon@princelobel.com
Email: dbostock@princelobel.com
Email: rgilman@princelobel.com
Email: mercolini@princelobel.com
Email: ajacobs@princelobel.com
Email: dmcgonagle@princelobel.com

Edward R. Nelson III
ed@nelbum.com
Texas State Bar No. 00797142
Anthony M. Vecchione
anthony@nelbum.com
Texas State Bar No. 24061270
NELSON BUMGARDNER PC
3131 West 7th Street, Suite 300
Fort Worth, TX 76107
Tel: (817) 377-9111
Fax: (817) 377-3485

ATTORNEYS FOR THE PLAINTIFFS